

REMARKS

This Amendment is filed in response to an Office Action dated September 9, 2004 in which the Examiner:

objected to the drawings for not showing every feature of the claimed invention;

rejected claims 10-21 under 35 USC § 101 as being directed to non-statutory subject matter;

rejected claims 1-21 under 35 USC § 112, second paragraph, as being indefinite;

rejected claim 1 under 35 USC § 102(b) as being anticipated by Abe et al. (JP 4-311434); and

rejected claims 1 and 4-6 under 35 USC § 102(b) as being anticipated by Fresnel (EP 0 058 602).

Applicant gratefully acknowledges Examiner's indication that claims 2, 3 and 7-21 would be allowable if rewritten to overcome the §§ 101 and 112 rejections and to include all of the limitations of the base and any intervening claims.

Applicant has submitted new FIG. 4A, see attached, thereby obviating the Examiner's objection to the drawings. No new subject matter has been added.

Applicant has amended claims 1-15 and 17-21 to clarify the subject matter of the claimed inventions and to conform the claims to U.S. practice, thereby obviating the Examiner's §§ 101 and 112 rejections.

In the Office Action, the Examiner rejected claim 1 under 35 USC § 102(b) as being anticipated by Abe et al. (JP 4-311434). Amended claim 1 recites a method of heat-shrinking sleeves made from a film of heat-shrink plastics material, the method including, among other things, placing an article having a sleeve on a support and moving the support vertically to pass the article together with the sleeve from a pre-heater chamber to a shrinkage chamber. In the present invention, moving the support on which the article is mounted in a vertical direction when the article travels from the pre-heater chamber to the

shrinkage chamber is consistent with the pre-heater chamber being surmounted as a chimney on the shrinkage chamber. In contrast, Abe discloses a heat-shrinking machine which conveys an article with a sleeve horizontally on a conveyer belt to a pre-heating station and then on to a shrinking station. Thus, Abe fails to disclose moving the article support vertically to pass the article from a pre-heater chamber to a shrinkage chamber, as recited in amended claim 1.

For a rejection under 35 USC § 102(b) to be proper, the cited reference must disclose each and every element of the claimed invention. Abe fails to disclose that the article support moves vertically, and thus Abe fails to anticipate amended claim 1.

In the Office Action, the Examiner also rejected claims 1 and 4-6 were rejected under 35 USC § 102(b) as being anticipated by Fresnel (EP 0 058 602). Similar to Abe, Fresnel disclose a heat-shrinking machine which conveys an article with a sleeve horizontally on a conveyer belt to a pre-heating station and then on to a shrinking station. Thus, Fresnel also fails to disclose moving the article support vertically to pass the article from a pre-heater chamber to a shrinkage chamber, as recited in claim 1.

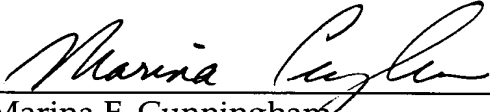
Fresnel fails to disclose that the article support moves vertically, and thus, for at least all of the reasons discussed above, Fresnel also fails to anticipate amended claim 1. Claims 4-6 depend directly or indirectly from claim 1 and contain additional recitations thereto. Therefore, for at least all of the reasons discussed above, Fresnel fails to anticipate claims 4-6.

As Applicant has addressed each and every rejection and objection, it is respectfully requested that Examiner pass claims 1-21 to issue.

Appl. Serial No. 10/667,162
Resp. dated January 5, 2005
Reply to Office Action of Oct. 5, 2004

Although Applicant does not believe a fee is due with the submission of this Response, if it is deemed that a fee is required, please charge to Deposit Account 13-0235.

Respectfully submitted,

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